

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAC-12255 - APPLICANT: ERIC MILLER ARCHITECTS - OWNER: CABALLOS DE ORO ESTATES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-1/ds vote) and staff recommend APPROVAL, subject to:

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-11031 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a petition to Vacate a U.S. Government Patent Easement (Patent # 1158532) generally located west of Cliff Shadows Parkway, north of the Buckskin Avenue alignment.

EXECUTIVE SUMMARY

The vacation of the U.S. Government Patent Easement on this site, along with companion applications, will enable the owner to develop a 30-unit attached single-family development on the parcel.

BACKGROUND INFORMATION

A) Related Actions

- 02/16/00 The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00 The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00 The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.
- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use

designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.

- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, WVR-12368, VAR-11030 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #36/ng).

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as follows:

The West, East and North thirty-three feet (33'), and the North three feet (3') of the South thirty-three feet (33'), of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 12, Township 20 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Easement because it is no longer needed in its current configuration. This will allow the unencumbered development of the subject site and the abutting site to the north and east. This request is appropriate, as the subject grant is not needed and will not result in reduced access traffic handling capability for the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 9 by City Clerk

APPROVALS 0

PROTESTS 3